HONOURABLE SRI JUSTICE D.S.R.VARMA
AND
HONOURABLE SRI JUSTICE D.APPA RAO

TAKEN UP WRIT PETITION No.11737 of 2007

Dated: 22.06.2007

Between:

A.Radha Bai

…Petitioner

And:

The Station House Officer,
Balangar Police Station,
Hyderabad and another.

…Respondents

HONOURABLE SRI JUSTICE D.S.R.VARMA
AND
HONOURABLE SRI JUSTICE D.APPA RAO

TAKEN UP WRIT PETITION No.11737 of 2007

ORDER: *(per Hon'ble Sri Justice D.Appa Rao)*

Heard learned Assistant Government Pleader representing learned Advocate General appearing for the respondents.

This is a taken up writ petition on the basis of a telegram, dated 14.05.2007, sent by one A.Radha Bai, resident of Hyderabad, alleging that her son by name Ganeshwar was illegally detained by Balanagar Police and she apprehended danger to his life in their hands.

Upon receipt of notice from this Court, the first

respondent-Inspector of Police, Balanagar Police Station, Cyberabad, filed counter-affidavit, *inter alia*, stating that the brother of the alleged detenu was an accused in C.C.No.1947 of 2007 on the file of the IX Metropolitan Magistrate, Kukatpally, for the offence under Section 138 of the Negotiable Instruments Act and since non-bailable warrant has been pending against him from the very inception of the case, in order to find out his whereabouts, the alleged detenu was called to the Police Station and as no useful information was forthcoming, he was let off on the very same day. It is further stated that in view of the writ petition, the alleged detenu was produced before the Tahsildar-cum-Mandal Executive Magistrate, Balanagar, on 15.06.2007, with a request to record his statement, wherein he stated that he was called to Police Station only for enquiry in regard to his brother and he was not illegally detained and has been moving freely. The statement recorded by the Tahsildar is enclosed along with the counter-affidavit and is made part of the record.

In view of the fact that the alleged detenu is moving freely, we do not see any ground whatsoever to continue the proceedings. There are no merits in the writ petition and the same is, accordingly, closed. There shall be no order as to costs.

D.S.R.VARMA, J

D.APPA RAO, J

21.06.2007
dr